

City of East Bethel
Planning Commission Agenda
Planning Commission Regular Meeting
Date: January 27, 2026



Two or more Council Members and/or the Mayor may be in attendance at this meeting.
If two or more Council Members and the Mayor attend the event, there will be a quorum of Council Members.

This meeting may be monitored live via the following means:
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel
(www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live)

1. Call To Order
2. Interview Lindsay Crescenzo
3. Consider reappointment of Planning Commissioner Gerald Tiah
4. Adopt Agenda
5. Council Liaison Update
6. Approval of Minutes: December 23, 2025
7. PUBLIC HEARING – Consider a Concept Plan Review for “Friday Stables Estates,” a 17-lot subdivision/planned unit development (PUD) located at 18215 Greenbrook Drive (PID 33-33-23-44-0003) (City File 25-037) (tabled at December 23, 2025 meeting)
8. PUBLIC HEARING. Conditional Use Permit (CUP) for a cannabis microbusiness located at 23773 Johnson Street NE (city file 25-038)
9. Staff Update
10. Adjourn

DRAFT MINUTES: NOT YET APPROVED

EAST BETHEL PLANNING COMMISSION MEETING
December 23, 2025

MEMBERS PRESENT: Chair Sharon Johnson, Glenn Terry, Gerald Tiah, and Brian Downie.

MEMBERS ABSENT: Kory Jorgensen and Kristina Pagnac

ALSO PRESENT: Kendra Lindahl, Community Development Director
Brian Mundle, City Council Liaison

1.0 Call to Order

Chair Johnson called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Adopt Agenda

Commissioner Downie moved and Commissioner Terry seconded to adopt the agenda as presented. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

3.0 Swear In Planning Commissioner Gerald Tiah

Gerald Tiah read the Oath of Office.

4.0 Updates

Council Liaison Mundle updated the Commission on recent Council actions. He stated that Council passed the final budget for 2026. All of the Planning Commission items from the last meeting were passed by Council. Council extended the contract for the City Administrator, Matt Look one year. He noted that the Council has discussed updating the City newsletter process. He reviewed that the Fire Station breakfast is coming up.

The next Planning and Zoning Commission meeting is scheduled for January 27, 2026.

5.0 Approve November 25, 2025, meeting minutes

Commissioner Downie moved and Commissioner Johnson seconded to adopt the November 25, 2025, regular meeting minutes as written. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

6.0 Public Hearing – Consider a PUD Concept Plan Review for “Cedarwood Estates,” a manufactured home park expansion located at 18164 Highway 65 NE

Lindahl reviewed the staff’s report stating that the PUD concept is to establish new standards to bring the existing park into compliance and allow for expansion of the park to add 33 new homes on the north. The area proposed to be part of the PUD includes five parcels. A Concept Plan Review allows the public, the Planning Commission, and the City Council to provide feedback on development plans.

Lindahl stated that the existing park was permitted by the Village of East Bethel in 1969. The City adopted Chapter 38 regulating manufactured home parks in 1987 and made the manufactured home park a legal non-conformity. Legal, nonconformities are allowed to continue but may not expand, and if homes are replaced with new homes, they can only do so in compliance with ordinance requirements. Removal of an existing home eliminates the legal, nonconforming protections. As a result, it is very difficult for homes to be replaced without variances. The applicant is proposing the PUD in order to

50 establish new standards for the park. If approved, these would apply to the 33 new homes and the 178
51 existing sites, most of which are occupied.

52 Lindahl noted that the current concept also shows a single pad size for a 76-foot by 16-foot
53 manufactured home. This is a standard budget home size; however, the current park has multiple
54 doublewide homes today, and there is no mention of these in the narrative or expansion area. This is
55 concerning as the narrative implies this expansion is due to the inability to replace or upgrade current
56 homes as much as it is to supply new ones in the park expansion. Replacing older homes with modern
57 homes benefits the residents, the park owner, and the City, but increases the quality, safety, and value of
58 the homes. The application should provide additional information about how this would be
59 accomplished.

60 Lindahl added that the concept plan only shows the areas slated for expansion in areas where open space
61 and a small playground exist today. The applicant does not indicate how or where open space will be
62 enhanced or protected. As discussed earlier, the manufactured home park would be required to provide
63 at least 15% open space for recreation, and the northwestern expansion area is removing what appears to
64 be the only park or green space for the manufactured home park.

65 Lindahl stated that she did not include draft resolutions in the staff report since there is so much that
66 goes into this item. She noted that the Commission can recommend approval or denial, but they are
67 mainly looking for feedback to provide for Council.

68 Tiah asked about the need for variance requests on this property.

69 Lindahl explained that they are requesting a PUD in order not need a variance every time it's needed.

70 Downie asked if the concept plan moves forward, if certain items in that plan will still be able to be
71 amended, or if they will no longer be able to be negotiated.

72 Lindahl stated that there is a lot of missing information in this plan. The applicant could come back with
73 more information and a new concept plan, or they could move forward with a formal application and
74 risk denial related to the lack of details.

75 Johnson opened the public hearing at 7:35 pm.

76 Craig Hardy, attorney on behalf of the applicant, thanked Lindahl for her assistance. He noted that the
77 objective for the process is to receive feedback from the Commission on the project moving forward. He
78 provided history on the property and its ownership. He stated what they hope to achieve with this
79 project. He added that they don't know all of the details right now, but would love any input on this
80 matter. He reviewed the benefits that the PUD would bring to the City and the community if approved.

81 Arty Anderson stated that he thinks they should separate these issues. He stated that the PUD for
82 expansion is fine, but the nonconforming needs to have a better plan.

83 Johnson closed the public hearing at 7:48 pm.

84 Downie asked how the City would benefit from this PUD. He stated that he has not seen the City ask for
85 more affordable housing.

86 Hardy stated that they are more than willing to revise the plan to find a solution for the placement of the
87 housing. He stated that this provides value to the City by providing more affordable housing and
88 creating new standards for a long-term park such as this.

89 Johnson stated that she would really like to preserve the recreational space. She asked what the timeline
90 for the builds would be.

91 Hardy stated that they anticipate that the land use process with the City will be quite long. He stated that
92 this will most likely last until the summer. He noted that after approval, they should be able to move
93 forward pretty quickly.

94 Johnson asked if the emergency vehicle access would be addressed in the plan.

95 Hardy explained that it can be added in the next plan, but the plan currently does not address it.

96 Johnson noted that she would be in favor of going to the state standards for the setbacks.

97 Downie asked if the client had considered a 30 ft setback between the homes.

98 Hardy stated that they have considered it, but the 30 ft could only apply to extended home sites and not
99 the existing homes. He added that this will affect the benefits of affordable housing, but they can look
100 into it.

101 Downie asked for further details on the flexibility mentioned in the plan. He asked if there would be any
102 way to enforce no street parking.

103 Hardy explained the standards they have set for the driveway length. He also noted that they could
104 include the enforcement of no street parking in the standards of the PUD. He stated that this issue should
105 be able to be fleshed out between the City and his client.

106 Downie raised his issues relating to the possible limited access for emergency vehicles.

107 Hardy stated that the street expansions should meet code requirements. He added that this might not
108 apply to the frontage road.

109 Downie added that he thinks there is a lot of uncertainty in the plans, and he would like the undefined
110 and other unknowns to be filled in to give the plan more definition.

111 Tiah stated that he would like more information added to the plan. He asked what exactly they are
112 looking for in terms of flexibility from the City.

113 Hardy stated that the more flexibility is related to the setback standards.

114 Terry asked if the PUD has to be considered for the whole property or if it can be considered for the
115 expansion only. He shared his various concerns about this expansion. He noted that he does not see
116 many benefits to anyone other than the property owner. He also stated his concerns about removing the
117 park and replacing it with 30 homes.

118 Lindahl stated that she does not believe that the PUD can be considered for only the expansion. She
119 stated that the standards can be adjusted to address the expansion and the existing property separately.

120 Johnson asked what kind of precedent this would set for the other park in the City.

121 Lindahl explained that it won't, since this is a unique negotiated zoning for this specific property.

122 Hardy explained that this will benefit the City by providing a connection to municipal services for
123 expanded sites. He also noted that the affordability of these houses is a significant benefit to the City.

124 Terry stated that he would like to see a plan that shows an improvement of quality of life. He would like
125 to see proof that this will make life better for those who live there.

126 Downie encouraged him not take the park space lightly and to come back with further plans for the
127 issues addressed tonight.

128 Johnson noted that the Commission does not have a full yes or no answer, but will be willing to continue
129 to work with some added revisions from the property owner.

130 Downie discussed his concerns with the fire safety aspects of the home designs.

131 Lindahl noted that the Fire Department raised no concerns for this project.

132 Downie noted that he would like to advise the property owner to address the concerns raised at the
133 meeting before they move forward with a suggestion.

134 Lindahl stated that she thinks they have given enough feedback that the property owner can take to
135 adjust the plans.

136
137 **7.0 Staff Updates**

138 Lindahl stated that there will be a meeting in January, and they have two public hearings for that
139 meeting.

140
141 **8.0 Adjournment**

142 **Commissioner Terry moved and Commissioner Downie seconded to adjourn at 8:53 pm.** Johnson
143 asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed?
144 That motion passes. **Motion passes unanimously.**

145
146 Submitted by:

147 Sylvia Rokosz

148 *TimeSaver Off Site Secretarial, Inc.*

149

**City of East Bethel
Planning Commission Meeting
Agenda Item Information**



Meeting Date: January 27, 2026

Agenda Item Number: 7

Agenda Item: PUBLIC HEARING – A Concept Plan Review for “Friday Stables Estates,” an 8-lot (formerly 17-lot) subdivision located at 18215 Greenbrook Drive (PID 33-33-23-44-0003) (City File 25-037)

Request: Informally advise the developer on any adjustments to the plan prior to the submission of a Preliminary and Final Plat application.

Review Deadline: March 19, 2026

Background/Context

The City received an application from Todd Christenson, on behalf of MC Land Holdings, LLC, for a Concept Plan Review of an 8-lot subdivision located at 18215 Greenbrook Drive (PID 33-33-23-44-0003). A Concept Plan Review allows the public, the Planning Commission, and the City Council to provide feedback on proposed subdivisions in East Bethel.

The property is guided Rural Residential and zoned RR– Rural Residential. The properties to the north, east and west are guided and zoned the same. The property to the south is located in the city of Ham Lake and guided and zoned similarly.

Planning Commission Review

At the request of the applicant, the Planning Commission tabled this item at the December 23, 2025, meeting to allow for modifications to the concept. The report has been modified to analyze the new concept which now shows an 8-lot subdivision rather than the original 17-lot subdivision. The new concept will not require a PUD.

Analysis

The City’s discretion in approving or denying a concept plan is based on whether or not the proposed plan meets the development standards outlined in the City Code and Comprehensive Plan. If it meets these standards, the Planning Commission may recommend approval of the Concept Plan with conditions necessary to satisfy City regulations.

Density

This property is a vacant 22.18-acre parcel. The sketch plan shows 8 lots ranging between 2.2 and 3.4 acres in size. These lots do meet the 2-acre minimum lot size and most appear to meet required 200 ft. minimum width at the right-of-way setback line required by the RR district.

The Comprehensive Plan permits development at an average density of 1 unit per 10 acres of land for areas designated Rural Residential. The Comprehensive Plan would allow two lots on this parcel. The proposed subdivision has a density of 1 unit per 2.56 acres.

The entire site is 22.18 acres, but this includes existing and proposed right-of-way. When measuring density, we use the existing site area minus the existing ROW only, not the proposed. This would be a total predevelopment area of 20.5-acres. This would meet the density requirements for the site.

This is a higher density than permitted by the Comprehensive Plan, therefore this subdivision proposal is inconsistent with the Comprehensive Plan.

However, the Zoning Ordinance establishes a minimum lot size of 2 acres at a density of 1 unit for 2.5 acres, which would allow 8 lots. State law requires the City Zoning Ordinance to comply with the density standard established within the Comprehensive Plan of 1 unit per 10 acres. Staff has found that the City has erroneously approved subdivisions with densities higher than those established by the Comprehensive Plan. Staff is prioritizing updating the Code to reflect the requirements outlined in the Comprehensive Plan and avoid further confusion on these standards and bring both into agreement with one another.

If the City were supportive of rural development in excess of one unit per 10 acres, the City should not exceed one unit per 2.5 acres as allowed in the RR district. Staff is not aware of any recent developments in the RR district that have exceeded the density requirements. This development would not exceed 2.5 units per acre.

Access

The concept plan shows private driveways for all lots with five along Greenbrook Drive (Country Road 68) and three accessing off of 183rd Ave. NE.

The residential development to the east has an unimproved right-of-way connection to 181st Lane NE where a street connection could be provided or a new street could connect to Greenbrook Drive (Country Road 68) and make a full intersection with 182nd Avenue NE.

The City Engineer has reviewed the concept and provided comments in Attachment 7.

The Anoka County Highway Department (ACHD) has reviewed the application and provided the following comments:

- The proposed R/W is shown at 60 feet, which should be sufficient for future reconstruction purposes
- The County would want the right of access dedicated along all of County Road 68.
- As shown, five lots are proposed to have driveway access to County Road 68. Generally, the County encourages access to be gained from local connections wherever possible, instead of creating new access points onto the County system. There is an existing right-of-way stub from 181st Lane near Lot 7 from the Nordin Estates development. The County would like to see the access for these parcels consolidated onto a cul-de-sac from 181st Ln or from 183rd Ave (as shown in the first concept we saw).
- We may request a right-turn lane be installed on County Road 68 at 183rd Ave. That determination will be made during preliminary plat review.

Utilities

This area is outside of the Metropolitan Urban Service Area (MUSA). The lots would be served by individual wells and septic systems.

Wetlands

A Notice of Decision (NOD) was provided for the site that identified a small wetland on the north and another along the southern border of the site. The sketch plan was shared with the City Engineer and no comments were made regarding drainage as this is a concept plan only. The City Engineer did note that a wetland MNRAM will be required to be completed by the applicant.

Development Standards

The original narrative requested a rezone to a Planned Unit Development (PUD) with “R2-A zoning” and the closest in East Bethel is the R-2 zone. This is not an appropriate zone for the area and is not allowed in this area. State law requires that land be zoned to a district compatible with the land use. In East Bethel, the only compatible zoning district is RR. Therefore, Staff reviewed the site against the current RR- Rural Residential zoning. The plan no longer needs a PUD and this request has been removed from the analysis.

The proposed lots do comply with the lot size standards but do not comply with minimum lot width standards established in Section 42 of the Zoning Ordinance for lots in the RR Zoning District. Lots 5-7 do not appear to comply with the minimum lot width and the plan would need to be revised to comply with the minimum lot area and lot width requirements in the table below:

	Required	Proposed
Lot Area	2 acres, with a density not to exceed 1 unit per 2.5 acres	2.2 acre minimum, roughly 1 units per 2.65 acres
Lot Width	200 feet at public right-of-way, 200 ft. at front building setback	150 feet to 309 feet
Minimum Building Area	23,000 sq. ft.	Not provided

Information about setbacks was not provided at this stage, however the requirements for the RR Zoning District are found below:

Front Yard, County Right-of-Way	100 ft.
Side Yard	25 ft.
Rear Yard	25 ft.

It appears that the lots could comply given the size of the lots.

The development to the east, Nordin Estates, is developed with homes on lots averaging around 20,000 sq. feet. However, Nordin Estates was approved in 1972 prior to adoption of the existing Comprehensive Plan and Zoning Ordinance. They are legal, non-conforming lots. The other adjacent properties are larger and appear to be approximately 2.5 acres in size.

The applicant is proposing two home types that range from \$500,000 to \$700,000 in price and will also contain covenants on architectural design and rules on each lot. No details were provided with the application.

Summary

The concept plan for an 8-lot subdivision located at 18215 Greenbrook Drive (PID 33-33-23-44-0003) does meet the density standards established within the Comprehensive Plan or the Zoning Ordinance. The lots do not appear to meet the minimum lot width requirements and would need to be modified. A compliant plat would simply require a Preliminary Plat and Final Plat.

Requested Action

In consideration of the request, the Planning Commission has the following options:

A) Recommend approval

Based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend approval of the request for a concept plan approval for an 8-lot subdivision located at 18215 Greenbrook Drive (PID 33-33-23-44-0003). Staff has provided a draft resolution for this option.

B) Recommend denial

Based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the request for a concept plan approval for an 8-lot subdivision located at 18215 Greenbrook Drive (PID 33-33-23-44-0003). Staff has provided a draft resolution for this option.

Attachments:

1. Draft Resolution approving the Concept Plan
2. Draft Resolution denying the Concept Plan
3. Concept Plan dated January 12, 2026
4. Applicant's Narrative
5. Future Land Use Map
6. Zoning Map
7. City Engineer's Memo dated January 20, 2026
8. Rural Residential Standards from 2040 Comprehensive Plan

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2026-XX

A RESOLUTION APPROVING THE CONCEPT PLAN FOR “FRIDAY STABLES ESTATES” FOR PROPERTY LEGALLY DESCRIBED AS:

All that part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 33, Range 23, which lies East of the Minneapolis Road, so called, crossing said land in a Northerly and Southerly direction, according to the United States Government Survey thereof and situate in Anoka County, Minnesota.

WHEREAS, Todd Christenson, on behalf of MC Land Holdings, LLC, applied for a Concept Plan Review for “Friday Stables Estates;” and

WHEREAS, the East Bethel Planning Commission has reviewed the concept plan and provided comments; and

WHEREAS, the proposed subdivision does meet the density standards established within the Rural Residential zoning district, which allows a minimum lot size of 2 acres and a maximum density of one unit per 2.5 acres; and

WHEREAS, the concept plan shows less than one unit per 2.5 acres; and

WHEREAS, pursuant to published and mailed notice thereof, the Planning Commission has conducted a public hearing on said plat at the December 23, 2025 meeting and tabled the item to the January 27, 2026 meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby approves the concept plan of “Friday Stables Estates,” with the condition that the concept be modified to meet all dimensional requirements of the RR zoning district including lot width.

Adopted this xx day of January, 2026 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2026-XX

A RESOLUTION DENYING THE CONCEPT PLAN FOR “FRIDAY STABLES ESTATES” FOR PROPERTY LEGALLY DESCRIBED AS:

All that part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 33, Range 23, which lies East of the Minneapolis Road, so called, crossing said land in a Northerly and Southerly direction, according to the United States Government Survey thereof and situate in Anoka County, Minnesota.

WHEREAS, Todd Christenson, on behalf of MC Land Holdings, LLC, applied for a Concept Plan Review for “Friday Stables Estates;” and

WHEREAS, the East Bethel Planning Commission has reviewed the concept plan and provided comments; and

WHEREAS, the proposed subdivision does meet the density standards established within the East Bethel Comprehensive Plan, which allows a maximum density of one unit per 10 acres; and

WHEREAS, the proposed subdivision does not meet the dimensional standards established within the RR – Rural Residential District standards, which a minimum lot width of 200 feet; and

WHEREAS, the concept plan shows less than one unit per 10 acres; and

WHEREAS, pursuant to published and mailed notice thereof, the Planning Commission has conducted a public hearing on said plat at the December 23, 2025 meeting and tabled the item to the January 27, 2026 meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby denies the concept plan of “Friday Stables Estates.”

Adopted this xx day of January, 2026 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

Ardie Anderson, Mayor

Matt Look, City Administrator

FRIDAY FARMS ESTATES

CONTACT:

Developer:
MC Land Holdings LLC
6150 202nd Street
Forest Lake, MN 55025
Owner: Mary Christenson

C/O Todd Christenson
todd2414c@aol.com
763-268-9442

COUNTY/CITY:

ANOKA COUNTY
CITY OF EAST BETHEL

REVISIONS:

DATE	REVISION
11-12-25	INITIAL ISSUE
1-10-26	8 LOTS
1-13-26	REVISE

CERTIFICATION:

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Daniel L. Thurmes
Daniel L. Thurmes Registration Number: 25718
Date: 11-12-25

PROJECT LOCATION:

18215 GREENBROOK DR. NE
PID#33332344003

Suite #200
1970 Northwestern Ave.
Stillwater, MN 55082
Phone 651.275.8969
dan@cssurvey.net

CORNERSTONE LAND SURVEYING, INC.

FILE NAME: SURVCD05
PROJECT NO.: CDC2505

CONCEPT PLAN

LEGAL DESCRIPTION:

The following Legal Description is as shown on the Land Title, Inc. as agent for Stewart Title Guaranty Company Title Commitment No. 722690 dated October 23, 2025.

Parcel 1:
All that part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 33, Range 23, which lies East of the Minneapolis Road, so called, crossing said land in a Northerly and Southerly direction, according to the United States Government Survey thereof and situate in Anoka County, Minnesota.

(NOTE: OTHER PARCELS LISTED ON THE ABOVE TITLE COMMITMENT ARE NOT SHOWN ON THIS SURVEY.)

EASEMENT NOTES:

The following survey related exceptions appear on the Land Title, Inc. as agent for Stewart Title Guaranty Company Title Commitment No. 722690 dated October 23, 2025.

- Regulations and restrictions imposed on designated wetlands shown on available maps and plats. (DELINEATED WETLANDS SHOWN ON SURVEY)

POSSIBLE RIGHT OF WAY LINES SHOWN ON SURVEY. SEE R/W NOTE.

DEVELOPEENT DATA:

TOTAL AREA AS SHOWN = 966,043 SQ.FT. / 22.18 ACRES
EXISTING COUNTY R/W = 1.04 ACRES
ADDITIONAL COUNTY R/W = 0.83 ACRES
EXISTING 143RD AVE NE R/W = 0.64 ACRES
LOTS = 19.68 ACRES - AVERAGE = 2.46 ACRES

FLOOD INFORMATION:

THIS PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 27003C0215E HAVING AN EFFECTIVE DATE OF DECEMBER 16TH, 2015.

SURVEY NOTES:

- BEARINGS ARE BASED ON THE ANOKA COUNTY COORDINATE SYSTEM. DATE OF PUBLISHED COORDINATES = SEPTEMBER 1ST, 2015
- UNDERGROUND UTILITIES NOT SHOWN.
- CONTOURS SHOWN PER LIDAR DATA OBTAINED FROM THE DNR MNTPO WEBSITE. NOT FIELD VERIFIED.
- ELEVATIONS BASED ON GPS DERIVED VALUES FOR NAVD 88
- WETLANDS SHOWN PER DELINEATION BY JACOBSON ENVIRONMENTAL DATED 11-1-25. WETLAND MARKERS LOCATED BY CORNERSTONE LAND SURVEYING, INC., DATED 11-3-25.
- WELL AND SEPTIC CLEANOUT SHOWN ON SURVEY.
- BUILDINGS AND DRIVEWAYS SHOWN PER AIR PHOTO.

RIGHT OF WAY NOTE

FOR THE PURPOSE OF THIS SURVEY THE RIGHT OF WAY WIDTH FOR 183RD AVENUE NE HAS BEEN SHOWN TO BE 33 FEET FROM THE SECTION LINE (SAME AS DEDICATED ON THE PLAT OF GREENBROOK RIDGE TO THE NORTH). THE RIGHT OF WAY FOR GREENBROOK DRIVE NE (CO. RD. NO. 68) IS SHOWN TO BE THE A COMBINATION OF FOUND MONUMENTS, PROPOSED R/W AND TRAVELED CENTERLINE. ACTUAL WIDTH OF THE RIGHT OF WAY MAY DEPEND ON USE. THE RIGHT OF WAY LINES SHOWN ARE FOR REFERENCE PURPOSES ONLY.

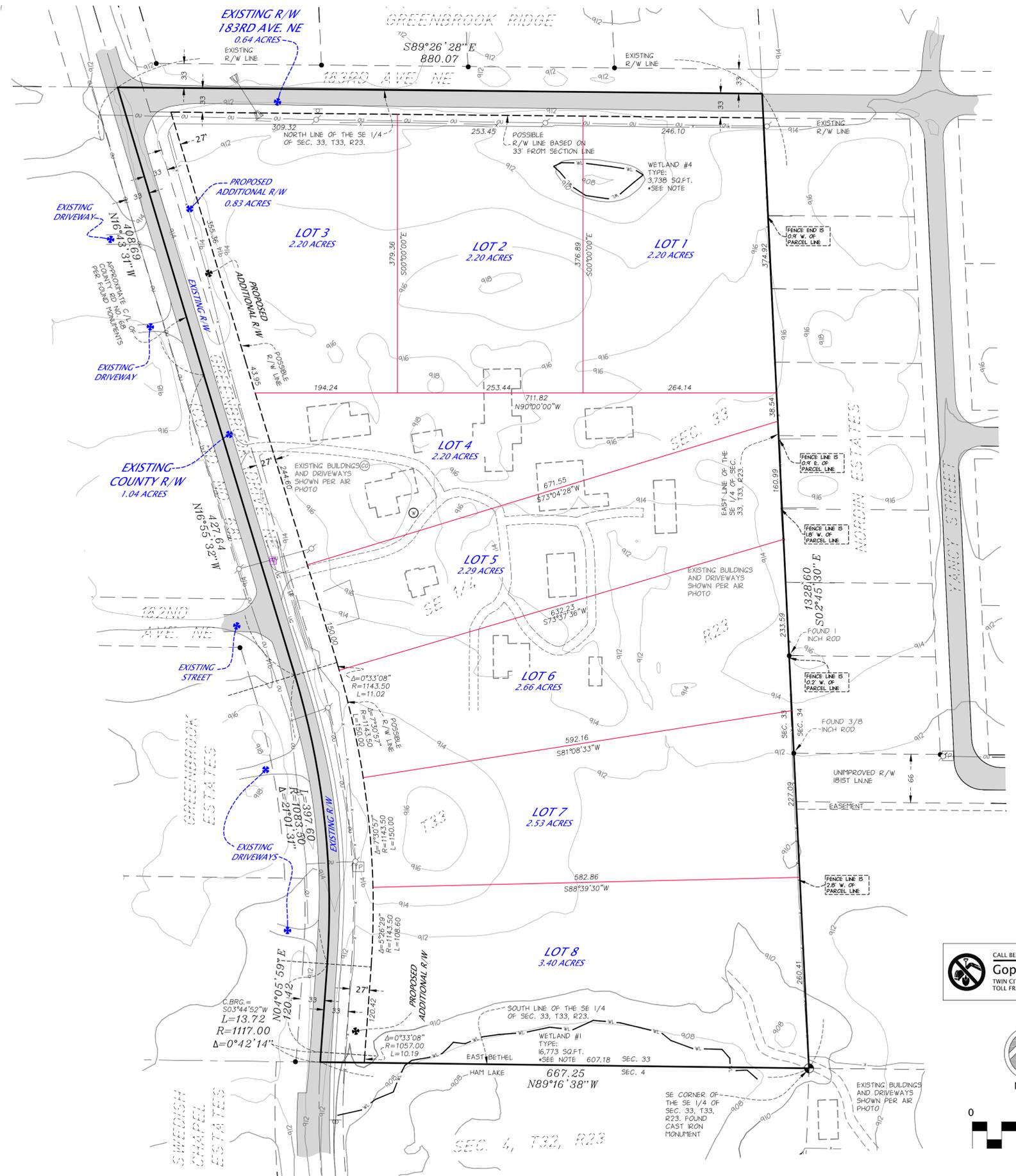
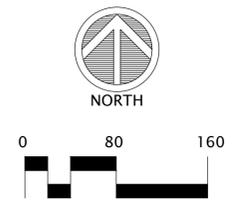
ZONING

DENSITY = 8 LOTS (VERIFY)
MINIMUM FRONTAGE = 70' ON CUL-DE-SAC (VERIFY)

LEGEND:

● FOUND MONUMENT	☐ SET 12" IRON PIPE MARKED RLS NO. 25718	☐ FIRE DEPT. CONNECTION	☐ UNDERGROUND ELECTRIC
○ AIR CONDITIONER	☐ ELECTRIC MANHOLE	☐ CURB STOP	☐ UNDERGROUND CABLE TV
☐ ELECTRIC PEDESTAL	☐ ELECTRIC TRANSFORMER	☐ WATER WELL	☐ UNDERGROUND FIBER OPTIC
☐ LIGHT POLE	☐ GUY WIRE	☐ WATER MANHOLE	☐ UNDERGROUND TELEPHONE
☐ POWER POLE	☐ GAS MANHOLE	☐ WATER METER	☐ OVERHEAD UTILITY
☐ GAS METER	☐ TELEPHONE MANHOLE	☐ POST INDICATOR VALVE	☐ UNDERGROUND GAS
☐ TELEPHONE PEDESTAL	☐ SANITARY CLEANOUT	☐ WATER VALVE	☐ SANITARY SEWER
☐ SANITARY MANHOLE	☐ CATCH BASIN	☐ BOLLARD	☐ STORM SEWER
☐ STORM DRAIN	☐ STORM MANHOLE	☐ FLAG POLE	☐ WATERMAIN
		☐ MAIL BOX	☐ FENCE
		☐ TRAFFIC SIGN	☐ CURB (TYPICAL)
		☐ UNKNOWN MANHOLE	
		☐ SOIL BORING	
		☐ TRAFFIC SIGNAL	
		☐ CONFIRMED TREE	☐ CONCRETE SURFACE
		☐ DECIDUOUS TREE	☐ BITUMINOUS SURFACE

CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166



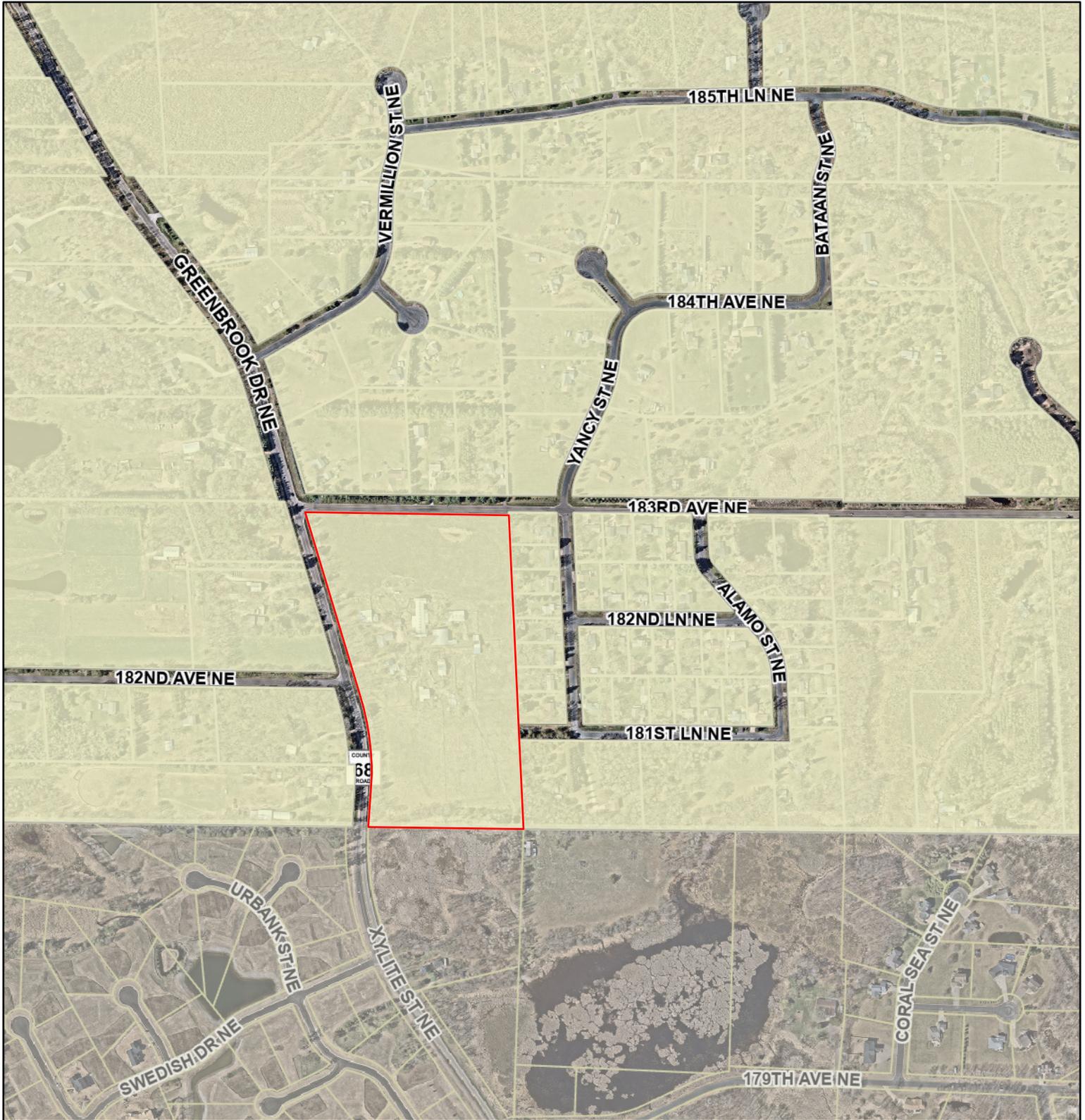
Friday Stables Estates

This property is located on Xylite and 183rd Avenue, it is 21.18 acres. We are proposing 17 lots with a 1-acre minimum lot size. This is a PUD which will require a zoning change to R2-A. The proposed lots will blend with smaller lots to the east by allowing 1 acre lots. These lots will have their own septic and well. Preliminary investigation shows the lots have permeable soil which will provide each lot with two sites for the septic system. The plan does not show any storm water retention for the road. Once the concept is accepted, we will engineer ponds for storm water retention.

We feel the lots will not overshadow the Homes to the east with smaller lots by holding to these lot sizes. The homes will range in price from 500k to 750K. We will have protective covenants and an architectural review of all plans to keep the integrity of the development. Some of the items we will be requiring are as follows:

- Two Story – 2,500 square feet minimum finished square feet above grade.
- Rambler – 1,800 square feet minimum finished above grade.
- 8/12 minimum Roof pitch. Use of premium materials such as brick, natural stone, stucco, cementitious or engineered wood siding or shake shingle siding are to be used on affront elevations. Vinyl/Metal siding can be utilized on the side and rear elevations. Architectural shingles shall be used on all roofs.
- Yards are to have sod with a minimum of 4 inches of topsoil, yards are to have sod within 30 days of completion of the home.

Future Land Use- Friday Estates



Landuse

Future Land Use

- AGRICULTURAL
- RURAL RESIDENTIAL
- COON LAKE
- LOW DENSITY RES
- HIGH DENSITY RES

- MEDIUM DENSITY RES
- MIXED USE
- FUTURE GROWTH AREA
- LIGHT INDUSTRIAL
- MED INDUSTRIAL
- LIMITED BUSINESS
- COMMERCIAL

- PARK/NAT. AREA
- PUBLIC
- ROW
- Parcels
- City Mask

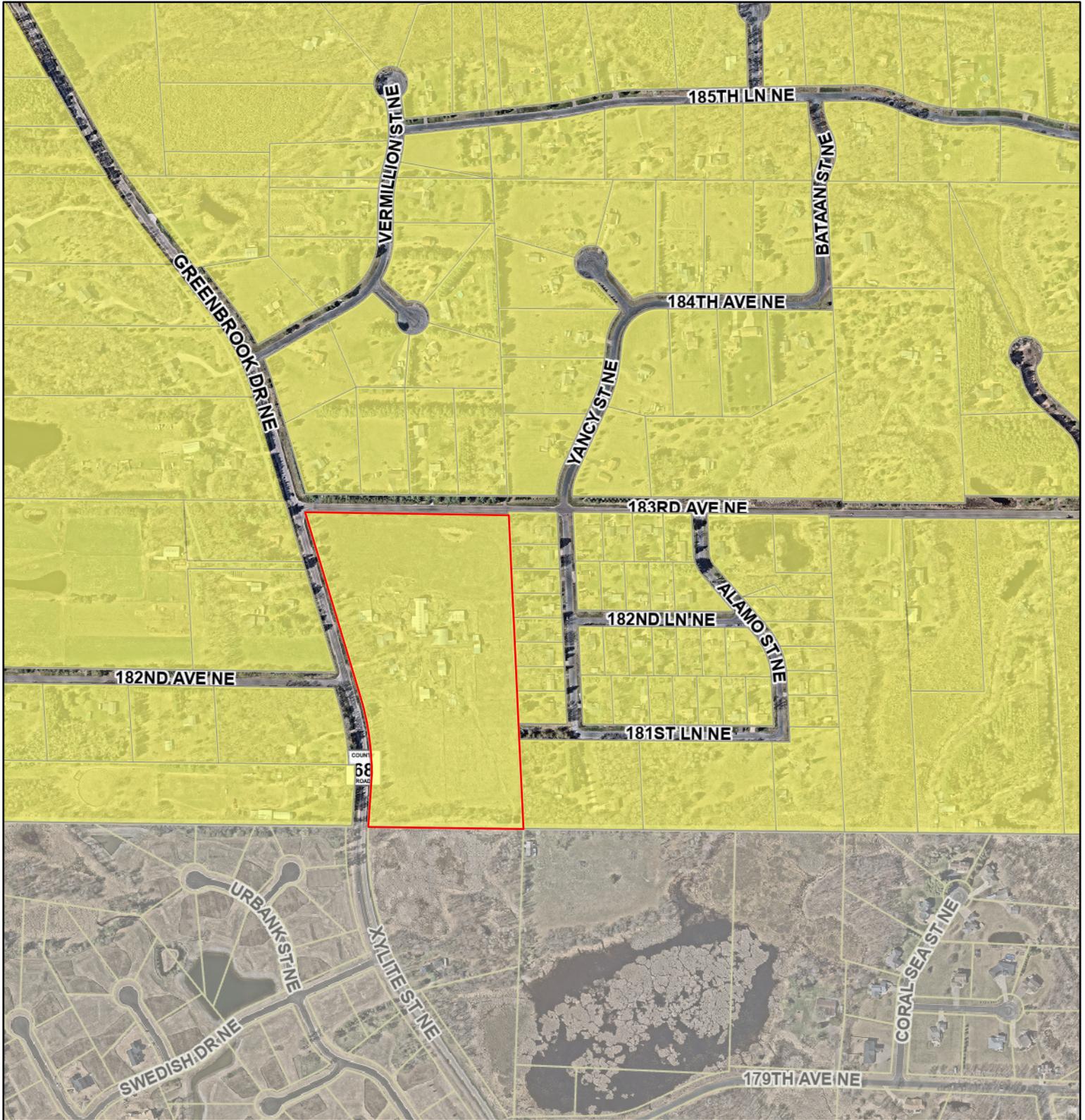
1 inch equals 783 feet



December 17, 2025
Map Powered By DataLink



Zoning- Friday Estates



Current Zoning

- A - Agriculture
- B-1 - Limited Business
- B-2 - Central Business
- B-3 - Highway Commercial
- I - Light Industrial
- MXU - Mixed Use
- RR - Rural Residential
- R-1 - Single Family Residential

- R-2 - Single Family & Townhome Residential
- CL - Coon Lake
- Public/Institutional
- Park/Open Space
- Natural Area
- ROW
- Water
- Parcels
- City Mask

1 inch equals 783 feet




 December 17, 2025
 Map Powered By DataLink



December 16, 2025

Kendra Lindahl, AICP
Landform
105 5th Avenue South, Ste. 513
Minneapolis, MN 55401

RE: Concept Review – Friday Farms Estates

Dear Kendra:

As requested, we have reviewed the Concept Plan for the above referenced plat. We offer the following comments:

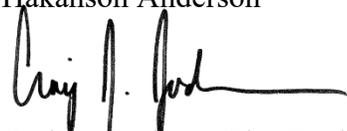
1. Chapter 66 of the City Code and the WMO requires an MNRAM for the onsite wetlands. The MNRAM is also used to determine the wetland buffer width per City Code 66-155-Table 1. Provide the buffers on the final plans.
2. Per Section 66-164 the maximum allowable cul-de-sac length is 500 feet. The proposed cul-de-sac will require a variance from the code for length and right-of-way diameter. The current proposed length is 1,085 feet.

The cul-de-sac design shown on the concept proposes a 60-foot right-of-way and approach of 30 feet. The city's standard cul-de-sac requires a 70-foot right-of-way and approach right-of-way of 60 feet.

3. The existing plat to the east, Nordin Estates, provided a 66-foot right-of-way to connect this property to 181st Lane. The proposed cul-de-sac discussed above could be eliminated if the proposed street is connected to 181st Lane.
4. All radiuses at intersections shall have a rounded right-of-way with a minimum radius of 25 feet.
5. The current lots as proposed do not meet the requirements for street frontage or total lot area.

If you have any questions, please call me at 763-852-0485.

Sincerely,
Hakanson Anderson



Craig J. Jochum, City Engineer

Light Industrial	
Typical Uses	Manufacture or wholesale facility; laboratory or research facility; general repair services; contractor offices; construction sales and service; industrial park; public or institutional uses
Density	Floor area ratio (FAR) of 10% or greater when the net acreage is fully developed.
Appropriate Zoning	LI Light Industrial
Limited Secondary Zoning	B-3 Highway Commercial, <i>MI Medium Industrial, MXU</i>

Medium Industrial	
Purpose	Medium industrial businesses normally generate noises, smells, vibrations, and/or truck traffic that can be disturbing to non-industrial land uses, and may include outdoor storage. Medium industrial land is discouraged next to residential developments. Topography, landscaping, less intense land uses, or other forms of buffering shall be used to transition between medium industrial property and residential, recreational, or institutional land uses.
Location Criteria	Inside the MUSA or an appropriately sized area with stable soils to support septic system if outside the MUSA.
Minimum Requirements for Development	Sufficient access from roadway; meets intersection spacing requirements; provision of turn lanes, if required; provision of cross-access agreements with neighboring commercial properties.
Utilities	Municipal water and sanitary sewer is required when inside the MUSA. Development outside the MUSA may be permitted when a Building Code compliant water supply and septic system can be installed.
Typical Uses	Manufacturing; assembly; industrial uses with outdoor storage; trucking centers
Density	A floor area ratio (FAR) of 5% is encouraged but can be waived when circumstances justify.
Appropriate Zoning	<i>MI Medium Industrial</i>
Limited Secondary Zoning	LI

Rural Residential

East Bethel 2040 Comprehensive Plan Chapter 3: Land Use Plan

Purpose	These areas will retain a traditional rural atmosphere by retaining large lot sizes. This land will preserve valuable environmental resources and will not be developed at urban densities.
Location Criteria	Outside of the MUSA.
Minimum Requirements for Development	Public Right of Way to serve each developable parcel. Sufficient soils to support septic.
Utilities	Private well and septic system
Typical Uses	Recreation; public or private open space; environmental preserve; wetlands, woodlands, lakes, or steep slopes; large lot residential; places of worship; schools.
Density	The Rural Residential designation allows an overall average of 1 unit per 10 gross acres; however higher densities may be achieved by utilizing Met Councils Flexible Development Guidelines.
Appropriate Zoning	RR Rural Residential, R1
Limited Secondary Zoning	A Agricultural

Coon Lake

Purpose	This neighborhood of East Bethel contains lots that are traditionally smaller in size than typical rural lots and are supported by private septic systems. A separate designation for this area is intended to address the unique challenges associated with many non-conforming lots in this neighborhood and to stabilize development in this area. Parcel assembly is encouraged in this district to facilitate a reduction in non-conformities.
Location Criteria	Outside of the MUSA. Only applies to homes within proximate distance of Coon Lake.
Minimum Requirements for Development	Sufficient land and soils to support septic system.
Utilities	Private well and septic system
Typical Uses	Single family residential; duplex or multiplex residential; limited business or retail; recreation; lake access
Density	The Coon Lake land use designation is anticipated for a range of densities between 1 unit per 10 gross acres and 7.5 units per acre. Encourage assembly of non-conforming lots for redevelopment when available and appropriate.
Appropriate Zoning	R1, <i>CL Coon Lake</i>

January 20, 2026

Kendra Lindahl, AICP
Landform
105 5th Avenue South, Ste. 513
Minneapolis, MN 55401

ADDITIONAL INFORMATION

This item was received after the original publication date of the meeting information packet.

RE: Concept Review No. 2 – Friday Farms Estates

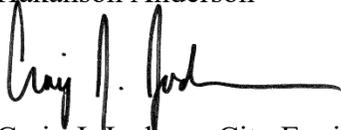
Dear Kendra:

As requested, we have reviewed the Concept Plan for the above referenced plat prepared by Cornerstone Land Survey, Inc with the latest revision date of January 13, 2026. We offer the following comments:

1. Chapter 66 of the City Code and the WMO requires an MNRAM for the onsite wetlands. The MNRAM is also used to determine the wetland buffer width per City Code 66-155-Table 1. Provide the buffers on the final plans.
2. The access to Lots 4 thru 8 is proposed off Greenbrook Drive NE. The accesses will need to be approved by Anoka County.
3. All radiuses at intersections shall have a rounded right-of-way with a minimum radius of 25 feet.
4. Lots 5, 6, and 7 do not meet the required lot width of 200 feet.
5. City code requires a maximum density of one unit per 2.5 acres. The concept plan proposes a density of one unit per 2.46 acres.

If you have any questions, please call me at 763-852-0485.

Sincerely,
Hakanson Anderson



Craig J. Jochum, City Engineer

**City of East Bethel
Planning Commission Meeting
Agenda Item Information**



Date: January 27, 2026

Agenda Item Number: 8

Request: **PUBLIC HEARING.** Conditional Use Permit (CUP) for a Cannabis Microbusiness located at 23773 Johnson Street NE (city file 25-038)

Review Deadline: April 10, 2026

Background Information/Context

On December 11, 2025, staff received an application from Evan Jones, Happy Earth Made Products (H.E.M.P.) LLC for a CUP to allow the operation of a Cannabis Microbusiness with a production of consumer products endorsement and cultivation endorsement located at 23773 Johnson Street NE (PIN #29-34-23-34-0010). City Code Appendix A, Section 1-9 defines a Cannabis Microbusiness as: "A cannabis business that grows cannabis plants from seed or immature plant to mature plant, harvests the cannabis flower from a mature plant, makes cannabis and/or hemp concentrate, manufactures artificially derived cannabinoids, adult-use cannabis products, lower-potency hemp edibles, and/or hemp-derived consumer products, and sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to consumers, including on-site consumption, pursuant to Minn. Stats. § 342.28." The applicant is proposing to operate a Cannabis Microbusiness out of the existing 8,950 sq. ft. building with activities within the scope of the cultivation and production of customer (consumer) product endorsements that include, but not necessarily limited to, plant propagation, vegetative growth, flowering, drying, curing, secure storage; and the production of consumer products which authorizes activities such as manufacturing of pre-rolls. All operations occur inside sealed, access-controlled rooms with no exterior production or retail activity.

During the 2025 legislative session, Minn. Stats. § 342-46 was established to require all cannabis and LPHE licensing to be performed by the Office of Cannabis Management (OCM) instead of the local government unit (LGU). To obtain a license from the OCM, the LGU must verify that the business complies with the local Zoning Ordinance.

The property is guided Light Industrial and zoned I – Light Industrial. The properties to the north, south and east (across HWY 65) of this property are guided Light Industrial and zoned I – Light Industrial. The properties to the west are across Johnson Street and are guided Low Density Residential and zoned R-1 – Low Density Residential.

Analysis

City Ordinance 2024-05 established Cannabis Microbusiness as a Conditional Use within the I – Light Industrial Zoning District. To obtain a Cannabis Microbusiness license from the OCM, the business must first receive a CUP to allow the proposed use on the property.

When reviewing a Conditional Use Permit, the City's discretion is limited to whether the CUP meets the standards outlined in the Appendix A Section 4-9(D) of the City Code. If it does, the City must approve the CUP.

“Cannabis Microbusiness” is a conditional use within the I – Light Industrial Zoning District. According to the Office of Cannabis Management, “Microbusinesses may cultivate cannabis and manufacture cannabis products and hemp products and package such products for sale to customers or another licensed cannabis business. Microbusiness may also operate a single retail location.” Cannabis Microbusinesses are required to comply with the standards established in Minn. Statute § 342.28 regarding microbusinesses and § 342.27 regarding the sale of cannabis products in addition to City Code Chapter 18 Article VIII and Section 30 of the Zoning Ordinance. The Cannabis Microbusiness must also comply with related Minnesota Administrative Rules, including those located in Chapter 9810.

The Planning Commission should evaluate the request for compliance with the general CUP ordinance standards in Section 4-9(D) of the Zoning Ordinance:

1) The planning commission shall consider if the proposed use is consistent with the general purpose and intent of this chapter and the comprehensive plan. Its judgment shall be based upon, but not limited to, the following:

a) The impact of the proposed use on the health, safety and general welfare of the occupants of the surrounding lands;

The use is not expected to have an impact on the health, safety and general welfare of the occupants of the surrounding lands. Section 30 of the Zoning Ordinance establishes several standards to evaluate these criteria. An analysis of surrounding properties and their uses finds that the business complies with the minimum buffer distance requirements established in Section 30-1(A) of the Zoning Ordinance. The applicant’s narrative also does not describe any outdoor activities or any activities that would generate noise or odor in violation of Section 30 of the Zoning Ordinance. To mitigate the impact of the proposed use on the health, safety and general welfare of the surrounding lands, the business shall operate under the standards for hemp businesses established in Section 30 of the City Zoning Ordinance (Attachment 5) and comply with all state laws and administrative rules. This has been included as a condition of approval. Chapter 18, Article VIII of the City Code also requires the Cannabis Microbusiness to obtain a license from the City and to pass a compliance check conducted by the City at least once per year. This has been added as a condition of approval.

The applicant shall also comply with Minn. Stats. § 342.27 regarding the sale of cannabis products, including hours of operation, which can be further limited by the City, for all cannabis and non-cannabis products. According to Minn. Statute § 342.28 Subd 7(c) “A cannabis business with a license or endorsement authorizing the retail sale of cannabis flower or cannabis products may not be open to the public or sell any other products at times when the cannabis business is prohibited from selling cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products”. As described in the applicant’s narrative, there will be no retail activity. The Cannabis Microbusiness does not have a retail endorsement from the OCM. This will be a condition of approval if the CUP is amended in the future to include a retail endorsement.

b) Existing and anticipated traffic conditions, including parking facilities on adjacent streets and lands;

This use is not anticipated to substantially increase traffic to this site. The traffic level is anticipated to be consistent with that of the existing use and similar to those on surrounding properties.

c) The effect of the proposed use on public utilities;

This use is not expected to cause any new impacts.

d) The effect of the proposed use on property values;

This use is not expected to have a significant impact on property values. No alterations to the existing site or building exterior are proposed for this use. The site shall comply with all standards established in Section 30 of the Zoning Ordinance for cannabis businesses. These standards are intended to limit the impact of the proposed use on surrounding properties.

e) The effect of the proposed use on the comprehensive plan;

This property is guided Light Industrial. This is a compatible use with the last use designation.

f) The ability of the proposed use to meet the standards of this chapter;

The applicant is not requesting any variances pertaining to the operation of this site. A CUP would allow this business to operate, upon receipt of a license from the OCM, while meeting the standards within the Code for this use within this zoning district. The applicant shall be required to seek a building permit for any alterations to the site, including the addition of signage.

The issuance of a CUP requires the applicant to comply with the plans submitted along with the CUP application.

The applicant shall be required to obtain a license from the OCM within 1 year of the issuance of this CUP. If this license is, for any reason, not granted or denied by the OCM, this CUP shall be revoked. This has been added as a condition of approval.

g) The results of a market feasibility study, if requested by the city, when the purpose for which the conditional use is being requested relies on a business market for its success;

N/A.

h) The effects of the proposed use on groundwater, surface water, and air quality;

The applicant is not proposing any alterations to the site. This use is not expected to have an impact on groundwater, surface water or air quality.

i) The proposed use is allowed with a CUP or IUP in the zoning district in which it is proposed; and

Section 48-4 of the Zoning Code lists "Cannabis Microbusiness" as a conditional use within the I – Light Industrial Zoning District.

j) The effect of the proposed use on natural resources.

The applicant is not proposing any alterations to the site. This use is not expected to have an impact on natural resources.

Summary

The application for a CUP to allow the operation of a Cannabis Microbusiness with a production of consumer products endorsement and cultivation endorsement located at 23773 Johnson Street NE requires a public hearing and review by the Planning Commission and City Council. If the proposed use meets the standards established within Section 4-9(D) of the Zoning Ordinance, the City must approve the request. An analysis of the CUP standards has been provided. Any Cannabis business which operates on this property will be required to comply with the standards for Cannabis businesses established in Section 30 of the Zoning Ordinance, obtain licensure with the City pursuant to Section 18 Article VIII of the City Code, obtain licensure from the

OCM and comply with all applicable state and federal laws and rules for Cannabis Microbusinesses operation and cannabis sale.

Staff finds that the application complies with the CUP standards and has prepared a resolution of approval with conditions recommended by staff. The Planning Commission may recommend additional conditions of approval. A resolution for denial can be prepared at the recommendation of the Planning Commission.

Requested Action

In consideration of the request, the Planning Commission has the following options:

A) Recommend approval

Based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend approval of the Conditional Use Permit for a Cannabis Microbusiness with a production of consumer products endorsement and cultivation endorsement located at 23773 Johnson Street NE. A draft resolution with findings of fact and conditions of approval has been included in the packet.

B) Recommend denial

Based on the applicant's submission, the contents of City Staff report, public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the request.

- This option should be utilized if the Planning Commission can specifically identify one or more provisions of City Code that are not met by the CUP request. *Staff does not recommend this option.*

Attachments:

1. Draft Resolution of Approval
2. Location Map
3. Revised Narrative dated January 21, 2026
4. Revised Floor Plan dated January 22, 2026
5. City Code Appendix A, Section 30: Cannabis Business and Hemp Business Operations
6. City Code Chapter 18 Article VIII: Sale of Cannabinoid Products

**CITY OF EAST BETHEL
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION NO. 2026-XX

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR A CANNABIS MICROBUSINESS LOCATED ON A PROPERTY LOCATED AT 23773 JOHNSON STREET NE (PIN 29-34-23-34-0010) LEGALLY DESCRIBED AS:

Lot 10, Block 2, Wargo Pond, Anoka County, Minnesota

WHEREAS, Evan Jones and Timothy Moravec owners of Happy Earth Made Products (H.E.M.P.) LLC (Applicant), with permission from 23773 Johnson Street NE, LLC., owner of property PIN 29-34-23-34-0010, has applied for a Conditional Use Permit to operate a Cannabis Microbusiness with endorsements for cultivation and production of customer (consumer) products on the above-described property; and

WHEREAS, the East Bethel Review Committee has reviewed the plans and provided comments; and

WHEREAS, the Planning Commission held a public hearing on January 27, 2026; and

WHEREAS, the Planning Commission finds:

1. This property is zoned (I) Light Industrial and “Cannabis Microbusiness” is allowed as a Conditional Use within this zoning district.
2. The application submitted on December 11, 2025, and supplemented by Applicant on January 21, 2026 complies with the general Conditional Use Permit (CUP) standards in Section 4, Subd. 9. (D) of the Zoning Ordinance, as outlined in the January 27, 2026, Planning Commission report, except as amended below.

WHEREAS, the Planning Commission recommends approval of the Conditional Use Permit to the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby approves the Conditional Use Permit for the property located at PIN 29-34-23-34-0010, subject to the following conditions:

1. A Conditional Use Permit is granted to allow the operation of a Cannabis Microbusiness with cultivation and production of customer (consumer) products endorsements at 23773 Johnson Street NE pursuant to the application materials, including the floor plan received December 11, 2025, and supplemented by Applicant January 22, 2026 and narrative received on December 11, 2025, and supplemented by Applicant January 21, 2026
 - a. The Cannabis Microbusiness has a cultivation endorsement.

- b. The Cannabis Microbusiness has a production of customer (consumer) products endorsement.
 - c. The Cannabis Microbusiness does not have a retail endorsement.
 2. The Cannabis Microbusiness shall obtain a license and all required endorsements from the Office of Cannabis Management (OCM) for a Cannabis Microbusiness and register with the City within 12 months of approval of this CUP.
 3. The Cannabis Microbusiness shall comply with the standards for the operation of a Cannabis Business established in Appendix A, Section 30 of the City Code.
 4. The Cannabis Microbusiness shall comply with the requirements for a Cannabis Businesses established in Chapter 18, Article VIII of the City Code.
 5. The Cannabis Business shall comply with all City, State, and federal laws, rules, regulations, licensing and/or registration requirements governing cannabis sales and operations of Cannabis Microbusinesses.
 6. The Cannabis Microbusiness shall not sell any products or merchandise that are prohibited or otherwise unlawful.
 7. The Cannabis Microbusiness shall operate within the building and in accordance with the floor plan received December 11, 2025, and supplemented by Applicant January 22, 2026. Any alteration to the building shall require a building permit and the CUP is required to be amended by City approval following an amendment request with accompanying materials from the applicant.
 8. If traffic, parking, delivery or nuisance issues develop in the immediate area that are attributable to the proposed use, the Applicant may be required by the City to implement traffic, parking or delivery control measures as determined by the City.
 9. The Cannabis Microbusiness shall inform the City within one business day of becoming aware of any:
 - a. failed compliance check and provide the City with copies of any documents or emails received regarding a failed compliance check, including enforcement actions and proceedings.
 - b. suspension or loss of license or endorsement from OCM.
 - c. any change in the ownership of the Cannabis Microbusiness
 - d. theft, burglary or unlawful entry of the property
 10. Any change or expansion of this use shall require a Conditional Use Permit amendment.

Adopted this 9th day of February 2026 by the City Council of the City of East Bethel.

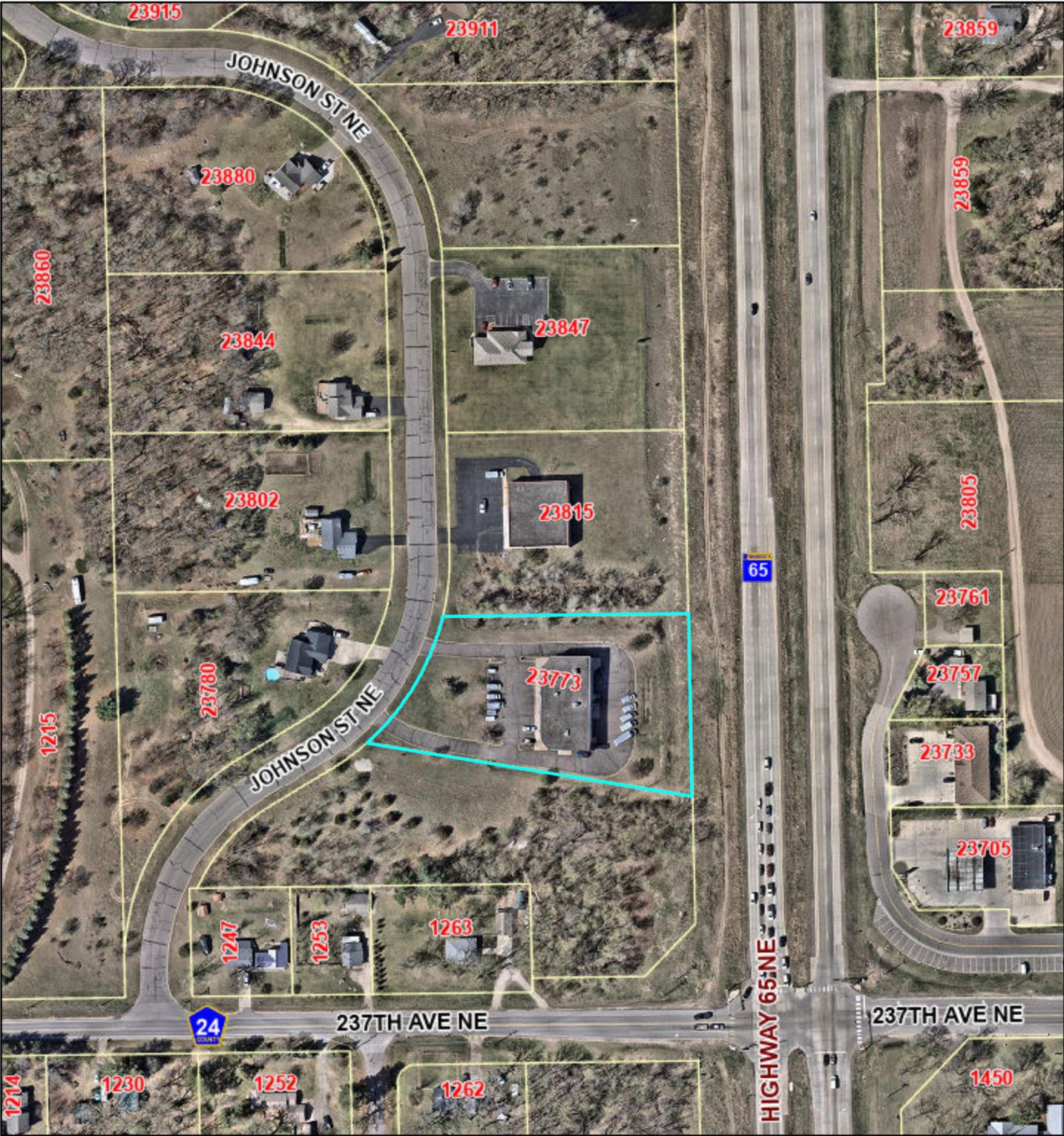
CITY OF EAST BETHEL

ATTEST

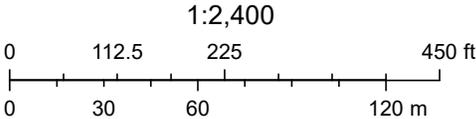
Ardie Anderson, Mayor

Matt Look, City Administrator

Location Map



1/16/2026, 4:07:21 PM



Supplemental Narrative

(Updated 1/21/2026)

Happy Earth Made Products (H.E.M.P), LLC – CUP Application

Legal Description of “Property”

Lot 10, Block 2, Wargo Pond, Anoka County, Minnesota.

(PID: 29-34-23-34-0010)

Abstract Property

Principal Land Uses Within 350 feet

Properties within 350 feet of 23773 Johnson St NE include a mix of industrial, commercial, and limited residential uses. The surrounding parcels on the east, west, and south sides consist primarily of industrial and service-oriented buildings consistent with the Industrial (“I”) zoning district. One R-2 residential parcel is located across Johnson Street to the northeast, with its nearest corner approximately 240 feet from the nearest corner of the subject building. No schools, parks, or sensitive institutions are within 350 feet. Due to the entirely indoor nature of the proposed operation, sealed rooms, odor mitigation systems, and low traffic generation, the project will not create noise, odor, or traffic impacts on the adjacent residential or commercial uses. The proposed CUP use is compatible with both the immediate industrial surroundings and the limited nearby residential property.

Description of Business or Activities and Proposed Number of Staff

Happy Earth Made Products (H.E.M.P.), LLC will operate a fully indoor cannabis cultivation facility within the existing industrial building. Activities will be consistent with a state-licensed cannabis microbusiness with (i) a cultivation endorsement for authorized activities, including, but not necessarily limited to, plant propagation, vegetative growth, flowering, drying, curing, secure storage; and (ii) a production of consumer products endorsement which authorizes activities such as manufacturing of pre-rolls. All operations occur inside sealed, access-controlled rooms with no exterior production or retail activity. The facility will typically operate with approximately five (5) staff on site during normal business days. During harvest cycles, additional temporary staff will increase total on-site personnel to approximately ten to fifteen (10–15) people.

Waste Management Plan

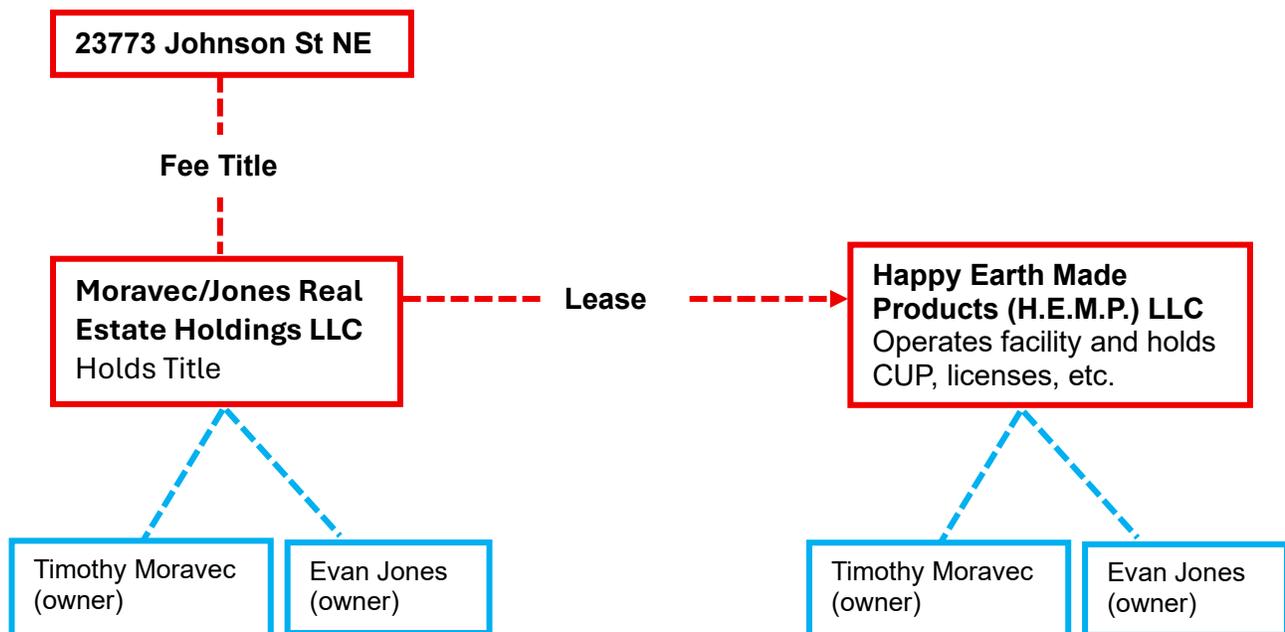
HEMP is committed to sustainability through initiatives such as renewable energy use, organic and natural nutrient sourcing, water conservation technologies, and comprehensive waste recycling programs. Our environmental responsibility resonates with consumer values and differentiates our brand within the market. Organic waste will be rendered unusable and kept in OCM compliant containers, collected weekly by Lepage and Sons.

Ownership Structure

While Happy Earth Made Products (H.E.M.P.) LLC will be operating the business on the Property, the real estate will be held by the holding company Moravec/Jones Real Estate Holdings LLC. Accordingly, Moravec/Jones Real Estate Holdings LLC entered into the November 11, 2025, Purchase and Sale Agreement to purchase the Property from the current owner, a copy of which is included with this CUP application. Please note that the Purchase and Sale Agreement includes an additional, neighboring vacant parcel of property owned by the Michael W. Stewart, Sr. Trust. That trust-owned property is not part of this CUP application and, therefore, the Trust does not need to sign the CUP as an owner.

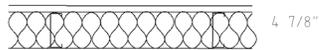
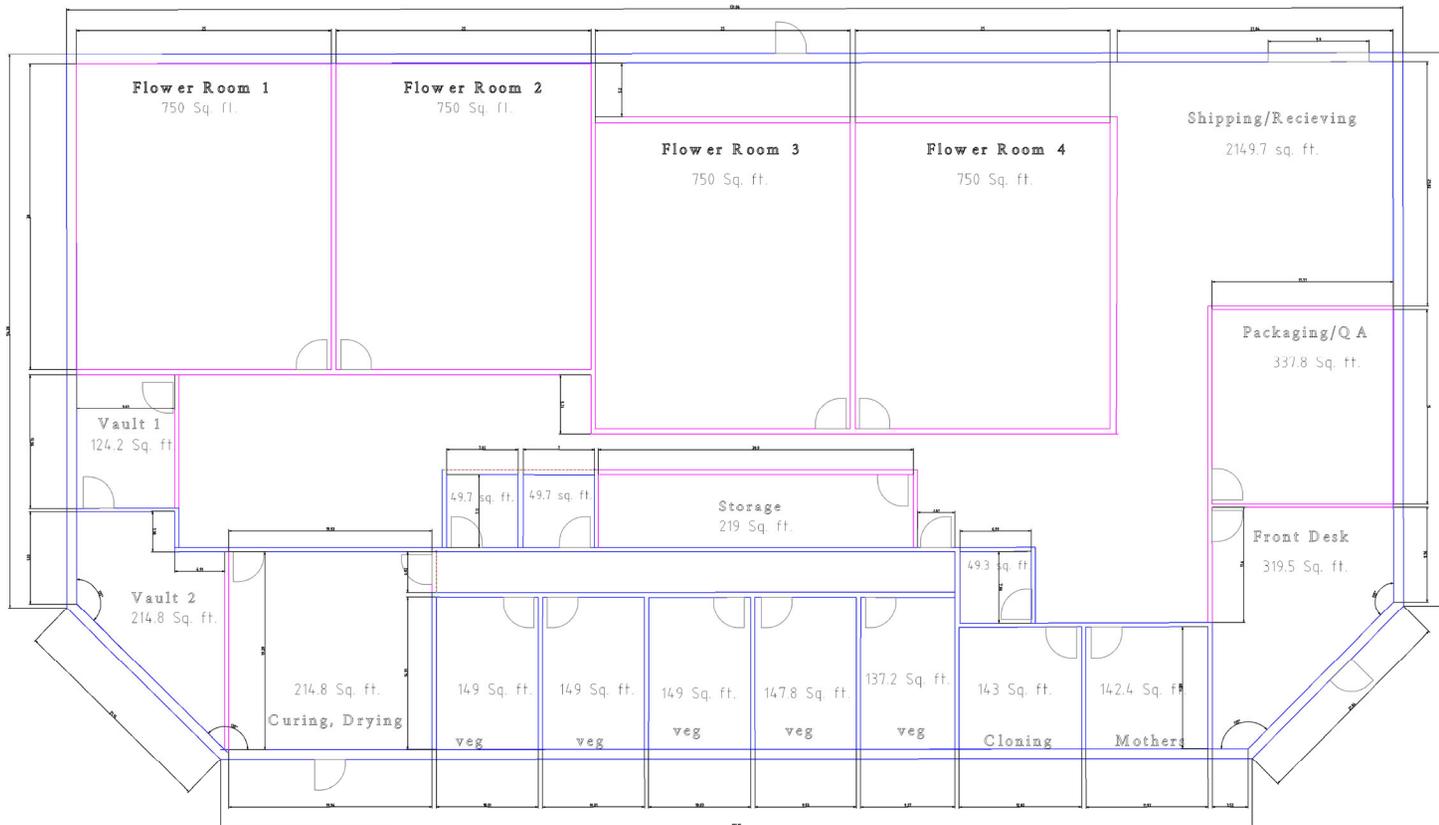
Each of Happy Earth Made Products (H.E.M.P.) LLC and Moravec/Jones Real Estate Holdings LLC are owned by two principals: Timothy Moravec and Evan Jones.

Organizational Chart Post-Acquisition of the Property



FLOOR PLAN GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF STUD OR FACE OF CONCRETE UNLESS NOTED.
2. VERIFY ALL EXISTING CONDITIONS IN FIELD BEFORE WORK BEGINS.
3. ALL NEW PARTITIONS TO BE SECIFIED WALL TYPE 5
4. ALL INTERIOR SURFACES IN CULTIVATION, DRYING, TRIMMING, STORAGE, CLONING, MOTHER AND PROCESSING AREAS TO RECEIVE MICROBIAL RESISTANT EPOXY COATING PER MANUFACTURER REQUIREMENTS.
5. SEAL ALL FLOOR AND WALL INTERSECTIONS IN CLEAN AREAS FOR SANITARY USE.
6. MAINTAIN ALL REQUIRED CLEARANCES FOR HVAC, PLUMBING AND ELECTRICAL.
7. FIRE RATED ASSEMBLIES TO COMPLY WITH IBC AND LOCAL REQUIREMENTS.
8. ADA ACCESSIBLE ROUTES AND DOOR CLEARANCES TO MEET MN ACCESSIBILITY CODE.
9. COMPLY WITH ALL APPLICABLE CODES INCLUDING IBC, IFC, NEC, IMC AND LOCAL ORDINANCES FOR CANNABIS FACILITIES.
10. COORDINATE WITH MECHANICAL, ELECTRICAL AND PLUMBING FOR LOCATION OF EQUIPMENT, DUCTS, FIXTURES AND OUTLETS.
11. NEW CONSTRUCTION TO MEET MINNESOTA ENERGY CODE WHERE APPLICABLE.
12. ANY STRUCTURAL MODIFICATIONS REQUIRE REVIEW BY LICENSED ENGINEER.
13. PROVIDE BLOCKING AND BACKING FOR ALL EQUIPMENT, FIXTURES AND SHELVING.
14. SEAL ALL PENETRATIONS TO MAINTAIN FIRE RATINGS AND HYGIENE STANDARDS.
15. SEE WALL TYPE LEGEND FOR SPECIFIC WALL CONSTRUCTION REQUIREMENTS.
16. CONTRACTOR TO REMOVE DEBRIS AND MAINTAIN SAFE JOBSITE CONDITIONS.

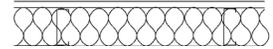


WALL TYPE 5
 5/8" MR. TYPE -X- GYP. BD. MICROBIAL
 RESISTANT EXPOXY COATING- ONE SIDE OF
 3 5/8" MTL. STUDS @ 16' O.C (MAX)
 PROVIDE CONT. LONG LEG DEFLECTION
 TOP TRACK AT ROOF DECK
 PROVIDE SOUND BATT. INSULATION



FLOOR PLAN GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF STUD OR FACE OF CONCRETE UNLESS NOTED.
2. VERIFY ALL EXISTING CONDITIONS IN FIELD BEFORE WORK BEGINS.
3. ALL NEW PARTITIONS TO BE SPECIFIED WALL TYPE 5
4. ALL INTERIOR SURFACES IN CULTIVATION, DRYING, TRIMMING, STORAGE, CLONING, MOTHER AND PROCESSING AREAS TO RECEIVE MICROBIAL RESISTANT EPOXY COATING PER MANUFACTURER REQUIREMENTS.
5. SEAL ALL FLOOR AND WALL INTERSECTIONS IN CLEAN AREAS FOR SANITARY USE.
6. MAINTAIN ALL REQUIRED CLEARANCES FOR HVAC, PLUMBING AND ELECTRICAL.
7. FIRE RATED ASSEMBLIES TO COMPLY WITH IBC AND LOCAL REQUIREMENTS.
8. ADA ACCESSIBLE ROUTES AND DOOR CLEARANCES TO MEET MN ACCESSIBILITY CODE.
9. COMPLY WITH ALL APPLICABLE CODES INCLUDING IBC, IFC, NEC, IMC AND LOCAL ORDINANCES FOR CANNABIS FACILITIES.
10. COORDINATE WITH MECHANICAL, ELECTRICAL AND PLUMBING FOR LOCATION OF EQUIPMENT, DUCTS, FIXTURES AND OUTLETS.
11. NEW CONSTRUCTION TO MEET MINNESOTA ENERGY CODE WHERE APPLICABLE.
12. ANY STRUCTURAL MODIFICATIONS REQUIRE REVIEW BY LICENSED ENGINEER.
13. PROVIDE BLOCKING AND BACKING FOR ALL EQUIPMENT, FIXTURES AND SHELVING.
14. SEAL ALL PENETRATIONS TO MAINTAIN FIRE RATINGS AND HYGIENE STANDARDS.
15. SEE WALL TYPE LEGEND FOR SPECIFIC WALL CONSTRUCTION REQUIREMENTS.
16. CONTRACTOR TO REMOVE DEBRIS AND MAINTAIN SAFE JOBSITE CONDITIONS.



WALL TYPE 5
5/8" MR. TYPE -X- GYP. BD. MICROBIAL
RESISTANT EPOXY COATING- ONE SIDE OF
3 5/8" MTL. STUDS @ 16' O.C (MAX)
PROVIDE CONT. LONG LEG DEFLECTION
TOP TRACK AT ROOF DECK
PROVIDE SOUND BATT. INSULATION

SECTION 30. CANNABIS BUSINESS AND HEMP BUSINESS OPERATIONS

1. Minimum buffer requirements.

A. The operation of a cannabis business is prohibited within:

- 1) One thousand feet of a school property line;
- 2) Five hundred feet of a day care principal building;
- 3) Five hundred feet of a residential treatment facility;
- 4) Five hundred feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field; and
- 5) One thousand feet from another cannabis business.

As measured in a straight line from the closest part of the building or actual leased space of the cannabis business use-principal to the property line of the school, the closest part of the principal day care building, residential treatment facility and/or attraction within a public park.

B. A cannabis event is exempt from 30.1.A restrictions.

2. Noise.

There shall be no noise carrying beyond a lot upon which a business is located, except for normal car and pedestrian activity.

3. Odor.

Cannabis businesses and hemp businesses shall be ventilated so that all odors cannot be detected by a person with a normal sense of smell at the exterior of the facility or at any adjoining use or property; they shall not produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the facilities.

4. Hours of operation.

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 10:00 a.m. and 9:00 p.m., seven days a week.

Lower-potency hemp edible retailers are prohibited from conducting the retail sale of lower-potency hemp edibles, or hemp-derived consumer products for off-site consumption between the hours of:

- A. On Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
- B. Before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
- C. On Thanksgiving Day;
- D. On Christmas Day, December 25; or

E. After 8:00 p.m. on Christmas Eve, December 24.

Lower-potency hemp edible retailers are prohibited from conducting the retail sale of lower-potency hemp edibles, or hemp-derived consumer products for on-site consumption between the hours of:

- A. Between 2:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
- B. After 2:00 a.m. on Sundays, except for a restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 8:00 a.m. on Sundays and 2:00 a.m. on Mondays.

5. Signs.

Cannabis business and hemp businesses are subject to Section 54-7—54-10 regulation of freestanding signs and are permitted one wall sign subject to the maximum size and heights of applicable sections; all other signs are prohibited. Signs shall only contain words and shall not contain depict a cannabis flower, cannabis product, hemp edibles, hemp derived edible consumer product or any other logo, picture, image, or symbol intended to denote or suggest cannabis, hemp, or related paraphernalia. Additionally, a business logo containing the above depictions shall not be displayed as part of any exterior signage. No products, interior signage, advertisements, or like attention getting items shall be placed or displayed that may be visible from the exterior of the cannabis business or hemp business. this section shall apply to any and all signs including temporary, sandwich boards, etc.

6. Lighting.

All lighting shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the parcel(s) or premises or directly focusing on any surrounding uses.

7. Security.

Any security bars, gates or grills shall be retractable, shall remain open and retracted when the cannabis or hemp business is open to the public or otherwise in operation and shall not be installed on the exterior of the building.

8. Outdoor use.

All uses and activity shall be conducted indoors, with no storage or activity allowed.

(Ord. No. 2024-05, § 3, 12-3-24)

ARTICLE VIII. SALE OF CANNABINOID PRODUCTS

Sec. 18-290. Purpose.

The purpose of this section is to regulate the authorized sale of adult-use of cannabinoid products that meet the requirements to be sold for human or animal consumption under Minnesota Statutes for the following reasons:

- (1) The city recognizes that, based on the most reliable and up-to-date scientific evidence, the rapid introduction of newly legalized adult-use cannabinoid products, presents a significant potential threat to the public health, safety, and welfare of the residents of East Bethel, and particularly to the city's youth.
- (2) The city has the opportunity to be proactive and make decisions that will mitigate this threat and reduce exposure of young people to cannabinoid products or to the marketing of these products and improve compliance among cannabinoid product retailers with laws prohibiting the sale or marketing of cannabinoid products to minors.
- (3) A local regulatory system for cannabinoid products retailers is appropriate to ensure that retailers comply with cannabinoid product laws and business standards of the city to protect the health, safety, and welfare of the city's youth and most vulnerable residents.
- (4) State law requires cannabinoid product retailers to check the identification of purchasers to verify that they are at least 21 years of age (Minn. Stat. § 151.72, subd. 3(c)), comply with certain packaging and labeling requirements to protect children and youth (Id., subd. 5), and meet certain potency and serving requirements (Id., subd. 5a).
- (5) State law authorizes the Board of Pharmacy to adopt product and testing standards in part to curb the illegal sale and distribution of cannabinoid products and ensure the safety and compliance of commercially available cannabinoid products in the state of Minnesota.
- (6) State law does not preempt the authority of a local government to adopt and enforce local ordinances regulating cannabinoid product businesses, which includes, but is not limited to, local zoning and land use requirements and business license requirements.
- (7) A requirement for a cannabinoid product retailer license will not unduly burden legitimate business activities of retailers who sell or distribute cannabinoid products to adults but will allow the city to regulate the operation of lawful businesses to discourage violations of state and local cannabinoid product-related laws.

In making these findings and enacting this section, it is the intent of the East Bethel city council to ensure responsible cannabinoid product retailing, by allowing legal sale and access to cannabinoid products in accordance with state law without promoting increases in use, and discouraging violations of cannabinoid product-related laws, especially those which prohibit or discourage the marketing, sale or distribution of cannabinoid products to persons under 21 years of age.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-291. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Cannabinoid means any edible cannabinoid product or nonedible cannabinoid product authorized for sale in Minnesota Statute.

Cannabidiol/CBD means any non-intoxicating cannabidiol not containing tetrahydrocannabinol (THC).

Cannabinoid-related devices means any equipment, products or materials of any kind which are used, intended for use, or designed for use in repackaging, storing, smoking, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis or cannabis products into the human body.

Certified hemp means hemp plants that have been tested and found to meet the requirements of Minn. Stats. chapter 18K and the rules adopted thereunder by the state of Minnesota.

Compliance checks means the system the city uses to investigate and ensure that those authorized to sell cannabinoid products and/or cannabinoid-related devices are following and complying with the requirements of this article. Compliance checks under this article are not subject to the Minnesota statutory restrictions for conducting compliance checks for tobacco products.

Delivery sale means the sale of any cannabinoid products to any person for personal consumption and not for resale when the sale is conducted by any means other than an in-person, over-the-counter sales transaction in a licensed retail establishment. Delivery sale includes, but is not limited to, the sale of any cannabinoid products when the sale is conducted by telephone, other voice transmission, mail, the internet, or app-based service. Delivery sale includes delivery by licensees or third parties by any means, including curbside pick-up.

Edible cannabinoid product means any product authorized for sale under Minnesota Statute that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.

Exclusive tobacco store means a brick and mortar retail store which derives at least 90 percent of its revenue from tobacco and tobacco products and which cannot be entered at any time by persons younger than 21 years of age except as provided herein.

Exclusive cannabinoid store means a brick and mortar retail store which derives at least 90 percent of its revenue from cannabinoid products and which cannot be entered at any time by persons younger than 21 years of age except as provided herein.

Hemp means the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, including the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis. Industrial hemp is not marijuana as defined in Minn. Stats. § 152.01, 9.

Label has the meaning given in Minn. Stats. § 151.01, 18.

Labeling means all labels and other written, printed, or graphic matter that are:

- (1) Affixed to the immediate container in which a product regulated under this article is sold;
- (2) Provided, in any manner, with the immediate container, including but not limited to outer containers, wrappers, package inserts, brochures, or pamphlets; or
- (3) Provided on that portion of a manufacturer's website that is linked by a scannable barcode or matrix barcode.

Licensee means a human person licensed under this article.

Licensee's clerk means a person employed by a licensee to work at a sales or service counter or otherwise make sales to the licensee's customers.

Marijuana means all parts of the plant of any species of the genus *Cannabis*, including all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

Matrix barcode means a code that stores data in a two-dimensional array of geometrically shaped dark and light cells capable of being read by the camera on a smartphone or other mobile device.

Minor means any natural person who has not yet reached the age of 18 years.

Movable place of business shall refer to any form of business operated out of a truck, van, automobile or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

Nonedible cannabinoids include, but are not limited to tablets, capsules, solutions, tinctures, or other products meant for oral administration/ingestion; creams, lotions, ointments, salves, or other products meant for topical administration; products meant to be inhaled, smoked, vaped, sprayed into nostrils, or insufflated (sniffed); and hemp flowers and buds.

Retail establishment means any place of business where cannabinoid products or cannabinoid-related devices are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, and restaurants.

Sale means any transfer of goods for money, trade, barter, or other consideration.

Self-service merchandising means open displays of cannabinoid products or cannabinoid-related devices in any manner where any person shall have access to the cannabinoid products or cannabinoid-related devices without the assistance or intervention of the licensee or the licensee's clerk. The assistance or intervention shall entail the actual physical exchange of the cannabinoid products or cannabinoid-related device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines or any other form of self-checkout.

Vending machine means any mechanical, electric or electronic, or other type of device which dispenses displays of cannabinoid products or cannabinoid-related devices upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the displays of cannabinoid products or cannabinoid-related device, unless the machine can be controlled by an electronic device by an employee of the business.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-292. Scope.

- (a) This article applies to the sale of any cannabinoid product.
- (b) This article does not apply to the sale of any cannabidiol/CBD product as defined by this article.
- (c) This article does not apply to any product dispensed by a registered medical cannabis manufacturer pursuant to Minn. Stat. §§ 152.22—152.37.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-293. Licensing.

No person shall directly or indirectly sell or offer for sale any cannabinoid products or cannabinoid-related devices in any form at any price without first having obtained a license to do so from the city.

- (1) *Application.* Application for such license shall be made to the city administrator on a form provided by the city. Such application shall state the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, the location of the building and the part intended to be used by the applicant under such license, the kind of business conducted and such other information the city deems necessary.

A business applicant, at the time of application, shall furnish the city with a list of all persons that have an interest of five percent or more in the business. The list shall name all owners and show the interest held by each, either individually or beneficially for others.

- (2) *Action.* Upon receipt of a completed application, it shall be presented to the city council for consideration at its next regularly scheduled council meeting. The city council may approve the license, deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the city council approves the license, the city administrator shall issue the license to the applicant. If the city council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the decision.
- (3) *Term.* Every such license shall expire on December 31 next after its issuance. For any license issued after January 31 in any year, the fee shall be prorated for each month, or fractional part thereof, covered by the license.
- (4) *Display.*
 - a. All licenses shall be posted and displayed in plain view of the general public on the licensed premises.
 - b. All exclusive tobacco store and exclusive cannabinoid store establishments shall post a notice prohibiting the entering of the store by persons under 21 years of age. The notice shall be in plain view of the general public on the licensed premises. The notice shall be at least 8-1/2 inches by 11 inches in size.
- (5) *Renewals.* The renewal of a license shall be handled in the same manner as the original application. The request for a renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license. The issuance of a license issued under this article shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.
- (6) *Revocation or suspension.* Violation of any provision of federal, state, or local law, ordinance provision, or other regulation relating to article VIII may result in license revocation and/or suspension. Any licensee subject to revocation and/or suspension shall be given reasonable notice and an opportunity to be heard.
- (7) *Transfers.* All licenses issued under this article shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license will be allowed. It is the duty of each business licensee to notify the city in writing of any change in ownership in the business. Any change in the ownership or control of the business shall be deemed equivalent to a transfer of the license, and any such license shall be revoked 30 days after any such change in ownership or control unless the licensee has notified the council of the change in ownership by

submitting a new license application for the new owners, and the council has approved the transfer of the license by appropriate action.

Any time an additional investigation is required because of a change in ownership or control of a business, the licensee shall pay an additional investigation fee to be determined by the city. The city may at any reasonable time examine the transfer records and minute books of any business licensee to verify and identify the owners, and the city may examine the business records of any other licensee to the extent necessary to disclose the interest which persons other than the licensee have in the licensed business. The council may revoke any license issued upon its determination that a change of ownership of a licensee has actually resulted in the change of control of the licensed business so as materially to affect the integrity and character of its management and its operation, but no such action shall be taken until after a hearing by the council on notice to the licensee.

- (8) *Moveable place of business.* No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this article.
- (9) *Educational requirements.* The licensee shall be required to educate each new employee who will be selling cannabinoid products with regard to the requirements of this article and state law pertaining to the sale of cannabinoid products to minors and persons under age 21. The licensee shall be required to keep on file evidence of the employee educational session and make available for review said evidence upon reasonable request by the city or its designee.
- (10) *Refunds.* No part of the fee paid for any license issued under this article shall be refunded except in the following instances upon application to the city council within 30 days from the happening of the event. There shall be refunded a pro rata portion of the fee for the unexpired period of the license, computed on a monthly basis when operation of the licensed business ceases not less than one month before expiration of the license because of:
 - a. Destruction or damage of the licensed premises by fire or other catastrophe that the licensee shall cease to carry on the licensed business;
 - b. The licensee's death; or
 - c. A change in the legal status of the city, or some other event making it unlawful for the licensee to carry on the licensed business under his license, except when such license is revoked.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-294. Fees.

No license shall be issued under this article until the appropriate license fee shall be paid in full. The fee for a license under this article shall be established pursuant to the city council's adoption of the fee schedule.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-295. Investigation.

Applicants must comply with and consent to the provisions of article VI. - Other business license background checks.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-296. Basis for denial, revocation, or nonissue of license.

The following shall be grounds for denying, revoking, or not issuing a license under this article; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the city must deny the license if a licensee is ineligible for the license under this article:

- (1) The applicant is under the age of 21 years.
- (2) The applicant has been found within the past five years to have violated any federal, state, or local law, ordinance provision, or other regulation relating to tobacco, tobacco products, or tobacco-related devices.
- (3) The applicant has been found within the past five years to have violated any federal, state, or local law, ordinance provision, or other regulation relating to marijuana, cannabinoid products, or cannabinoid-related devices.
- (4) The applicant and/or the applicant's business establishment has been found in violation of Minn. Stats. § 151, IV, or this article.
- (5) The applicant has had a license to sell tobacco, tobacco products, or tobacco-related devices revoked or a license to sell cannabinoid products or cannabinoid-related devices revoked within the preceding 12 months of the date of application.
- (6) The applicant fails to provide any information required on the application or provides false or misleading information.
- (7) The applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding such a license.
- (8) The applicant has had a license to sell cannabinoid products suspended or revoked during the 12 months preceding the date of application, or the applicant has or had an interest in another premises authorized to sell cannabinoid products, whether in the city or in another jurisdiction, that has had a license to sell cannabinoid products suspended or revoked during the same time period, provided the applicant had an interest in the premises at the time of the revocation or suspension, or at the time of the violation that led to the revocation or suspension.
- (9) The applicant is a business that has an owner, operating officer, and/or manager who is not eligible pursuant to the provisions of this article.
- (10) The applicant is the spouse of a person ineligible for a license pursuant to the provisions of article VII or who, in the judgement of the council, is not the real party in interest or beneficial owner of the business to be operated, under the license.
- (11) No license shall be granted or renewed for operation on any premises on which real estate taxes, assessments, or other financial claims of the city or of the state are due, delinquent, or unpaid. If an action has been commenced pursuant to the provisions of Minn. Stats. § 278, questioning the amount or validity of taxes, the council may, on application by the licensee, waive strict compliance with this provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless such one-year period is extended through no fault of the licensee.
- (12) No license will be approved unless the premises proposed to be licensed complies with all applicable zoning requirements.
- (13) Other unforeseen circumstances or conditions exist such that the issuance of a license may unreasonably endanger the health, safety, and welfare of the public.

If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this article and the city shall provide the person with a notice of revocation, along with information on the right to appeal.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-297. Prohibited acts.

- (a) *In general.* No person shall sell or offer to sell any cannabinoid product or cannabinoid related-device:
- (1) By means of any type of vending machine.
 - (2) By means of self-service merchandising. Exclusive tobacco stores and exclusive cannabinoid stores are excluded from this provision.
 - (3) From any form of movable place of business.
 - (4) Containing controlled substances as defined in Minn. Stats. § 152.
 - (5) By delivery sale.
 - (6) By any employee under the age of 21.
 - (7) By any other means, to any other person, on in any other manner or form prohibited by state or other local law, ordinance provision, or other regulation.
 - (8) To an obviously intoxicated person.
- (b) *Legal age.* No person shall sell any cannabinoid product or cannabinoid-related device to any person under the age of 21.
- (1) *Age verification.* Licensees shall verify by means of government issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.
 - (2) *Signage.* Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where cannabinoid products or cannabinoid-related devices are offered for sale. The required signage, which will be provided to the licensee by the city, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase. The sign shall provide notice that all persons responsible for selling these products must verify, by means of photographic identification containing the bearer's date of birth, the age of any person under 30 years of age.
- (c) *Samples prohibited.* No person shall distribute samples of any cannabinoid products free of charge or at a nominal cost. The distribution of cannabinoid products as a free donation is prohibited.
- (d) *Self-checkout.* No sales of cannabinoid products or cannabinoid related-devices may be completed through self-checkout. A licensee or licensee's clerk must process each transaction at a point of sale.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-298. Storage.

It shall be unlawful for a license under this article to allow the sale of cannabinoid products or cannabinoid-related devices by any means whereby a customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the cannabinoid

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product or cannabinoid-related devices between the licensee or his clerk and the customer. All cannabinoid product or cannabinoid-related devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Exclusive tobacco stores or exclusive cannabinoid stores are not subject to this provision.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-299. Responsibility.

All licensees under this article shall be responsible for the actions of their employees in regard to the sale of cannabinoid products or cannabinoid-related devices on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this article shall be construed as prohibiting the city from also subjecting a licensee's clerk to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-300. Compliance checks and inspections.

All premises licensed under this subdivision shall be open to inspection by the city's law enforcement during regular business hours. From time to time, but at least once per year, the city shall direct law enforcement to conduct compliance checks. No person used in compliance checks shall attempt to use a false identification misrepresenting their age. All persons lawfully engaged in a compliance check shall answer all questions about their age asked by the licensee or their employee, and produce any identification, if any exists, for which they are asked. Persons used for the purpose of compliance checks shall be supervised by law enforcement or other designated personnel. Nothing in this article shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes, or required for the enforcement of a particular state or federal law. Additionally, from time to time, the city or law enforcement will conduct inspections to determine compliance with any or all other aspects of this ordinance.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-301. Penalties.

- (a) *Administrative civil penalties—Licensees.* If a licensee or an employee of a licensee is found to have sold cannabis or cannabinoid products to a person under the age of 21 years, the licensee shall be subject to an administrative penalty as follows:
- (1) *First violation:* The city shall impose a civil fine of \$150.00. In addition, the city may suspend the license for a period up to 20 days. The city may agree with the licensee to waive up to ten days of suspension at a rate of two days for every eight hours of community service performed by the licensee's employee.
 - (2) *Second violation within 24 months:* The city shall impose a civil fine of \$300.00. In addition, the city may suspend the license for a period up to 40 days. The city may agree with the licensee to waive up to ten days of suspension at a rate of two days for every eight hours of community service performed by the licensee's employee.
 - (3) *Third violation within 24 months:* The city shall impose a civil fine of \$400.00 and suspend the license for a minimum period of 30 days, not to exceed one year.
 - (4) The penalties provided for in this article shall apply to individuals who are licensees and who make such a sale in addition to any penalty imposed under this Code.

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(b) *Misdemeanors.* Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article.

(c) *Council review.*

- (1) If one of the foregoing administrative civil penalties is imposed by the city, the penalty shall not take effect until the licensee or person has received notice (served personally or by mail) of civil penalty and their right to a hearing before the council. The licensee must request a hearing before the city council within ten business days of receipt of the notice or such right shall terminate.
- (2) If a licensee requests a hearing before the city council, the council shall determine by the preponderance of evidence whether the licensee has violated any provision of this article. If the city council determines by a preponderance of the evidence that the licensee has violated any provision of this article, the city council shall sustain the administrative civil penalty issued. If the city council determines by a preponderance of the evidence that the licensee has not violated this article, the administrative civil penalty shall be vacated.

(Ord. No. 2022-03, § 2, 9-26-2022)

Sec. 18-302. Severability.

If any section or provision of this article is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

(Ord. No. 2022-03, § 2, 9-26-2022)

Secs. 18-303—18-402. Reserved.